

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1946

By: Paulk

COMMITTEE SUBSTITUTE

An Act relating to public health; amending 63 O.S. 1991, Section 2-419, which relates to controlled dangerous substances; modifying and adding offenses under the Uniform Controlled Dangerous Substances Act; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 1991, Section 2-419, is amended to read as follows:

Section 2-419. A. It shall be unlawful for any individual eighteen (18) or more years of age to solicit, employ, hire, or use an individual under eighteen (18) years of age to ~~unlawfully transport, carry, sell, give away, prepare for sale, or peddle any controlled dangerous substance~~ commit or facilitate the commission of any violation of the Uniform Controlled Dangerous Substances Act.

B. It shall be unlawful for any individual eighteen (18) or more years of age to commit or facilitate the commission of any violation of the Uniform Controlled Dangerous Substances Act in the presence of any individual under eighteen (18) years of age.

C. A person who violates subsection A or B of this section shall be guilty of a felony and upon conviction shall be punishable by a term of imprisonment, or fine, or both, not exceeding twice that authorized ~~by Section 2-401 of Title 63 of the Oklahoma Statutes~~ as punishment for the underlying felony.

~~C.~~ D. A person who violates subsection A or B of this section after a previous conviction pursuant to that subsection which has become final, shall be punishable by a term of imprisonment not

exceeding three times that authorized by ~~Section 2-401 of Title 63~~
~~of the Oklahoma Statutes~~ as punishment for the underlying felony.

~~D.~~ E. A person who violates subsection A of this section by employing, hiring, or using an individual under fifteen (15) years of age, may be imprisoned for not more than twenty-five (25) years, fined not more than One Hundred Thousand Dollars (\$100,000.00), or both, in addition to any other punishment authorized by this section.

~~E.~~ F. It shall not be a defense to this section that a person did not know the age of an individual.

SECTION 2. This act shall become effective September 1, 1994.

44-2-8925

KSM